

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA

DOCKET NO. 2011-\_\_\_\_-C

IN RE:

APPLICATION OF ANPI, LLC FOR A	)	
CERTIFICATE OF PUBLIC	)	
CONVENIENCE AND NECESSITY	)	
TO PROVIDE RESOLD INTRASTATE	)	
INTEREXCHANGE	)	<b>APPLICATION FOR INTEREXCHANGE</b>
TELECOMMUNICATIONS	)	<b>AUTHORITY</b>
SERVICES AND FOR	)	
ALTERNATIVE REGULATION OF	)	
ITS INTEREXCHANGE SERVICE	)	
OFFERINGS	)	

ANPI, LLC (“Applicant”), by its undersigned counsel and pursuant to the South Carolina Code 58-9-280 and the rules and regulations of the South Carolina Public Service Commission (“Commission”), hereby submits its Application for a Certificate of Public Convenience and Necessity to provide resold interexchange telecommunications services on a statewide basis. Applicant requests that its interexchange services be subject to alternative regulation, pursuant to South Carolina Code § 58-9-585 (Supp. 1999), as was first granted by the Commission in Order Nos. 95-1734 and 96-55 issued in Docket No. 95-661-C.

The Applicant submits the following information in support of its request.

**I. DESCRIPTION OF THE APPLICANT**

1. Applicant’s legal name is ANPI, LLC. Applicant maintains its principal place of business at 3130 Pleasant Run, Springfield, Illinois 62711. Applicant is a Limited Liability Company organized under the laws of the State of Delaware. A copy of Applicant’s Certificate of Organization is attached as **Exhibit 1**. A copy of Applicant’s Application for a Certificate of

Authority by a Foreign Limited Liability Company to Transact Business in South Carolina and Certificate of Authorization are attached as **Exhibit 2**.

2. Name, Address and Telephone Number of Applicant:

ANPI, LLC  
3130 Pleasant Run  
Springfield, IL 62711  
Telephone: (217) 698-2860  
Facsimile: (217) 698-0100

3. Correspondence concerning this Application should be directed to:

John J. Pringle, Jr.  
Ellis, Lawhorne & Sims, P.A.  
Post Office Box 2285  
Columbia, South Carolina 29202-2285  
Telephone: (803) 343-1270  
Facsimile: (803) 799-8479  
[jpringle@ellislawhorne.com](mailto:jpringle@ellislawhorne.com)

4. Questions concerning the ongoing operations of Applicant following certification should be directed to:

Joseph O'Hara  
ANPI, LLC  
3130 Pleasant Run  
Springfield, IL 62711  
Telephone: (217) 862-1969  
[regulatoryaffairs@anpisolutions.com](mailto:regulatoryaffairs@anpisolutions.com)

5. Applicant's registered agent in South Carolina is:

Corporation Service Company.  
1703 Laurel St.  
Columbia SC 29201  
Telephone: (800) 927-9800

6. The following toll-free number is available for customer service inquiries:

877-366-2674

## **II. DESCRIPTION OF SERVICES**

1. Applicant is a reseller of long-distance telephone services offered by facilities-based inter-exchange carriers. Applicant neither owns, leases, nor operates any switching, transmission, or other physical facilities in the State of South Carolina, although it does own switching facilities in other jurisdictions. Upon receiving certification, Applicant intends to provide telecommunications services throughout the State of South Carolina to other carriers that have been properly certified by this Commission. At this time, Applicant does not intend to provide services to end-user retail customers. Its services will be available on a full-time basis, twenty-four hours a day, seven days a week, to customers within the geographic boundaries of the State of South Carolina. All services provided will meet the service standards that the Commission may adopt.

2. Applicant is in the process of obtaining necessary authority to provide resold interexchange service in the following states: AK, AZ, ID, LA, ME, NM, VT, WI, WV and WY. Applicant is currently authorized to provide telecommunications services in the following states: CA, CO, IL, IN, MO, MT, NE, NV, NY, OH, OK, OR, PA, SD, TN, TX and VT.

## **III. FINANCIAL, MANAGERIAL & TECHNICAL QUALIFICATIONS**

1. Applicant is financially, technically and managerially qualified to operate and manage its proposed telecommunications operations in South Carolina.

2. Applicant's key management personnel have extensive experience which is set forth in **Exhibit 3** attached hereto. Applicant will have a fully staffed call center that will be able to service all provisional, technical and customer care calls. Furthermore, since Applicant will be providing services as a reseller, Applicant will also rely up the technical expertise of its facilities-based underlying carriers.

3. Applicant is financially qualified to provide resold interexchange services in South Carolina. Applicant provides hereto as **Exhibit 4** a current balance sheet and a statement of profit and loss. This information is Confidential and is being filed under seal. Applicant requests that **Exhibit 4** be afforded confidential treatment in accordance with S.C. Code Ann. § 39-9-10, *et seq.*, S.C. Code Regs. 103-800, *et seq.* and Commission Order No. 2005-226, because this exhibit contains financial information, which, if disclosed, would result in substantial harm to Applicant's competitive position. Applicant has filed its *Motion for Protective Treatment of Financial Statements* concurrent with this Application.

#### **IV. REGULATORY COMPLAINT AND WAIVER REQUESTS**

1. Attached as **Exhibit 5** is Applicant's proposed interexchange service tariff.

2. Applicant will market its services by direct marketing and sales. Applicant does not currently have promotional materials to be used in South Carolina; however, if required by the Commission, Applicant will provide the Commission copies of such materials when they become available.

3. Pursuant to the South Carolina Public Service Commission's Order No. 95-658 (issued March 20, 1995), Applicant makes the following affirmation:

As a telephone utility under the regulation of the Public Service Commission of South Carolina, Carrier does hereby assert and affirm that as a reseller of intrastate telecommunications service, Carrier will not indulge or participate in deceptive or misleading telecommunications marketing practices to the detriment of consumers in South Carolina, and will comply with those marketing procedures, if any, set forth by the Public Service Commission. Additionally, Carrier will be responsible for the marketing practices of its contracted telemarketers for compliance with this provision. Carrier understands that violation of this provision could result in a rule to show cause as to the withdrawal of its certification to complete intrastate telecommunications traffic within the state of South Carolina.

4. As stated above, Applicant's toll-free number for customer service is 877-366-2674. Its customer service email address is customerservice@anpisolutions.com. The toll-free customer service number will be printed on customer bills.

5. Applicant requests, pursuant to Rule 103-610, that it be allowed to maintain all applicable records in the State of Illinois. Applicant's activities in the State of South Carolina will be managed from its offices in Illinois. Requiring Applicant to maintain its books and records in the State of South Carolina would place an undue financial burden on Applicant. Upon request from the Commission Staff or the South Carolina Office of Regulatory Staff (ORS), Applicant will produce such books and records at such time and place within South Carolina, as the Commission Staff or the ORS may designate. Alternatively, Applicant will pay to the Commission Staff or the ORS the reasonable expense or charges incurred by the Commission Staff or the ORS for any investigation or examination the Commission Staff or the ORS undertakes at Applicant's business offices.

6. Applicant requests that it be exempt from any record keeping rules or regulations that might require a carrier to maintain its financial records in conformance with the Uniform System of Accounts (USOA). Good cause exists for the grant of this waiver. Neither the Federal Communications Commission nor any other jurisdiction requires Applicant to maintain its books and records according to the USOA. Absent the grant of a waiver, Applicant would be required to maintain a dual set of books, one solely for South Carolina and another for all other jurisdictions. Such a requirement would be extremely burdensome. GAAP is a widely-accepted accounting methodology that accurately reflects the Applicant's operations. Applicant's continuing use of GAAP will be consistent with the principles embodied in the USOA provisions and will permit Applicant to comply with any applicable Commission requirements.

7. In addition to the above requested waivers, Applicant reserves the right to seek any

regulatory waivers that may be required for Applicant to compete effectively in the South Carolina telecommunications market.

**V. ALTERNATIVE REGULATION OF BUSINESS SERVICE OFFERINGS**

The Applicant requests that all of its business service offerings be regulated pursuant to the procedures described and set out in Order Nos. 95-1734 and 96-55 in Docket No. 95-661-C, and as modified by Order No. 2001-997 in Docket No. 2000-407-C. It is Applicant's intent by this request to have its business services regulated in the same manner as this Commission has permitted for AT&T Communications of the Southern States. Specifically, Applicant requests:

- a) removal of maximum rate tariff requirements for its business services, consumer card, operator service (Excepting those operator-assisted calls where a consumer uses a local exchange carrier's calling card to complete calls from locations which have not selected the local exchange carrier as their toll provider. Operator surcharges and per-minute rates for this type of call were capped by Order No. 2001-997 dated November 8, 2001) and future private line, and customer network-type offerings;
- b) that tariff filings for these uncapped offerings are presumed valid upon filing. If the Commission institutes an investigation of a particular filing within seven days, the tariff filing will be suspended until further order of the Commission; and
- c) any relaxation in the reporting requirements that may be adopted for AT&T shall apply to the Applicant also.

**VI. PUBLIC INTEREST CONSIDERATIONS**

Granting this Application will promote the public interest by increasing competition in the provision of telecommunications services in South Carolina. Applicant will deploy and expand a competitive telecommunications infrastructure in the State. Applicant will provide customers high quality, cost effective telecommunications services, with an emphasis on customer service. In addition to driving prices closer to costs, thereby ensuring just and reasonable rates, competition also promotes efficiency in the delivery of services and in the development of new services. These

benefits work to maximize the public interest by providing continuing incentives for carriers to reduce costs while, simultaneously, promoting the availability of potentially desirable services.

## **VII. CONCLUSION**

For the reasons stated above, Applicant respectfully submits that the public interest, convenience, and necessity would be furthered by a grant of this Application for the authority to provide resold interexchange telecommunications services. Also, Applicant respectfully requests that the Commission grant the waivers requested in this Application, and grant alternative regulation in accordance with South Carolina Code Ann. Sec. Sec. 58-9-585 (Supp. 1999) in the same manner as granted by the South Carolina Public Service Commission in Order Nos. 95-1734, and 96-55.

WHEREFORE, ANPI, LLC respectfully requests that the South Carolina Public Service Commission grant it the authority to provide resold interexchange telecommunications services in the State of South Carolina, grant alternative regulation as requested herein, and grant such other relief as is just and proper.

Respectfully submitted,

s/John J. Pringle, Jr. \_\_\_\_\_  
John J. Pringle, Jr.  
**Ellis, Lawhorne & Sims, P.A.**  
Post Office Box 2285  
Columbia, South Carolina 29202-2285  
(803) 343-1270 (Tel)  
(803) 799-8479 (Fax)  
[jpringle@ellislawhorne.com](mailto:jpringle@ellislawhorne.com)

Counsel for ANPI, LLC

Columbia, South Carolina  
Dated: June 23, 2011